

518 Rec'd PCT/PTO 23 JUL 2001

SUBSTITUTE FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER  
1338-2001

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If Known, see 37 CFR 1.5)

09/889874

INTERNATIONAL APPLICATION NO.  
PCT/GB00/90219INTERNATIONAL FILING DATE  
24 January 2000PRIORITY DATE CLAIMED  
22 January 1999TITLE OF INVENTION  
BIOLOGICAL CONTROL OF NEMATODES

APPLICANT(S) FOR DO/EO/US

James Alan Wynne Morgan, Paul Jarrett, Debbie Ellis and Margaret Anne Ousley

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (unsigned).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern other documents or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

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## CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL 85674659408

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

7-23-2001

Signature

Samantha Bell

Typed Name of  
Person Signing

Samantha Bell

U.S. APPLICATION NO. (IF KNOWN)

INTERNATIONAL APPLICATION NO.

ATTORNEY'S DOCKET NUMBER

09/8898

PCT/GB00/00219

13384-002001

17. ☒ The following fees are submitted:**Basic National Fee ( 37 CFR 1.492(a)(1)-(5) ):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO..... \$1000

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$860

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$710

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$690

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(1)-(4)..... \$100

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$860.00

Surcharge of \$130 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$0.00

Claims	Number Filed	Number Extra	Rate
Total Claims	34 - 20 =	4	x \$18
Independent Claims	3 - 3 =	0	x \$80

\$72.00

\$0.00

MULTIPLE DEPENDENT CLAIMS(S) (if applicable)

+ \$270

\$270.00

**TOTAL OF ABOVE CALCULATIONS =**

\$1,202.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are  
reduced by 1/2.

\$0.00

**SUBTOTAL =**

\$1,202.00

Processing fee of \$130 for furnishing the English Translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f))

\$0.00

**TOTAL NATIONAL FEE =**

\$1,202.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$0.00

**TOTAL FEES ENCLOSED =**

\$1,202.00

Amount to be  
refunded: \$

Charged: \$

- a. ☒ A check in the amount of \$1,202.00 to cover the above fees is enclosed.  
b. ☐ Please charge my Deposit Account No. 06-1050 in the amount of \$0.00 to cover the above fees. A duplicate  
copy of this sheet is enclosed.  
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 06-1050. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive  
(37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Timothy A. French  
FISH & RICHARDSON P.C.  
225 Franklin Street  
Boston, MA 02110-2804  
(617) 542-5070 phone  
(617) 542-8906 facsimile

SIGNATURE:

NAME

Timothy A. French

REGISTRATION NUMBER

30,175